UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

EVERGREEN PARTNERING GROUP, INC. and MICHAEL FORREST, *Plaintiffs*, v. PACTIV CORPORATION; GENPACK, LLC; SOLO CUP COMPANY, a corporation; DOLCO PACKAGING, a TEKNI-PLEX COMPANY, a corporation; DART CONTAINER CORPORATION; AMERICAN CHEMISTRY COUNCIL INCORPORATED, an association; and POLYSTYRENE FOODSERVICE PACKAGING GROUP, a business group within the American Chemistry Council, *Defendants*.	C.A. No. 11-10807-RGS

DECLARATION OF CHARLES E. TOMPKINS IN SUPPORT OF MOTION OF PLAINTIFFS' COUNSEL TO WITHDRAW

1. I am a partner at the law firm Shapiro Haber & Urmy LLP (the "Firm"), which is counsel of record in this action for plaintiffs Evergreen Partnering Group, Inc. and Michael Forrest ("Plaintiffs").

2. I submit this declaration in support of the Firm's motion to withdraw as counsel for the Plaintiffs.

3. This action was commenced by the Plaintiffs on May 9, 2011, with their filing of a complaint, *pro se*.

4. On May 12, 2011, my partner Thomas V. Urmy, Jr. and I filed Notices of Appearance in this action pursuant to a written agreement of the same date that gave the Firm the

right to withdraw from the representation pending agreement on a final, written retainer agreement.

5. No final, written, retainer agreement was ever reached or signed.

6. The Firm has now determined that it cannot represent Plaintiffs in this action. We communicated that decision to Plaintiffs orally on June 8, 2011 and in writing on June 13, June 14, and June 17, 2011. At the times of those communications, we encouraged Plaintiffs to retain other counsel.

7. Less than a month elapsed between our entry of appearances and our communication to Plaintiffs of our decision that we cannot represent them. Nothing transpired in the litigation during that short time except that I spoke briefly with certain defense counsel and I wrote letters to each of the Defendants or their counsel advising them to retain all documents relevant to the issues in the case. No filings have been made by Shapiro, Haber & Urmy in this case other than the Notices of Appearance, The Motion to Withdraw, and this Declaration. As a result, Plaintiffs will suffer no prejudice from our withdrawal.

8. There are additional reasons why our firm has determined that it cannot proceed with the representation which can be provided to the Court under seal if the Court is unwilling to allow us to withdraw for the reasons set forth above.

9. I declare under penalty of perjury that the foregoing is true and correct.

Dated: Boston, Massachusetts

June 22, 2011

Charles E. Tompkins

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing. I further certify that a copy of this document was sent via electronic mail and U.S. mail to Michael Forrest and Evergreen Partnering Group, Inc. at the following address:

Mr. Michael Forrest
Evergreen Partnering Group, Inc.
34 Westward Circle
North Reading, MA 01864

/s/ Charles E. Tompkins